

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00336-MR**

**RIKA O. JOHNSON, Individually and  
as Executrix of the Estate of Jackie  
Lee Johnson,**

**Plaintiff,**

**vs.**

**ABLEST, INC., et al.,**

**Defendants.**

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**ORDER**

**THIS MATTER** is before the Court *sua sponte*.

The Plaintiffs initiated this action against a number of Defendants, including Toledo Engineering Co., Inc. (“Toledo Engineering”), on November 23, 2020. [Doc. 1]. On March 8, 2021, the Court entered an Order directing the Plaintiff to show cause for the failure to effect service of the Summons and Complaint on Toledo Engineering. [Doc. 62]. On March 18, 2021, the Plaintiff filed a Notice, advising that the Plaintiff effected service on Toledo Engineering on December 3, 2020. [Doc. 63]. The Plaintiff further noted in her Notice that this Defendant to date had not filed an appearance or answered the Complaint in this matter. [Id.].


In light of the Plaintiff's Notice, the Court will discharge the prior Show Cause Order [Doc. 62]. The Plaintiff shall have fourteen (14) days from the entry of this Order to file an appropriate motion or otherwise take further action against Toledo Engineering.

**IT IS, THEREFORE, ORDERED** that the prior Show Cause Order [Doc. 62] is hereby **DISCHARGED**.

**IT IS FURTHER ORDERED** that the Plaintiff shall have fourteen (14) days from the entry of this Order to file an appropriate motion or otherwise take further action against the Defendant Toledo Engineering Co., Inc. If no motion is filed or if no further action is taken within the time required, this Defendant shall be dismissed without prejudice from this matter.

**IT IS SO ORDERED.**

Signed: March 29, 2021

  
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Martin Reidinger  
Chief United States District Judge

